

STATE OF ILLINOIS        )  
                              ) ss:  
COUNTY OF COOK        )

**AFFIDAVIT OF THOMAS D. MARINO**

I, TOMAS D. MARINO, being duly sworn on my oath, hereby state as follows:

- 1) I am employed by Bansley and Kiener, L.L.P., in the capacity of Payroll Audit Supervisor.
- 2) Bansley and Kiener, L.L.P. is an auditing firm, which is employed by the Local 727 Health and Welfare, Pension and Legal and Education Funds to conduct audits of various participating employers who are under contract with the Local 727 IBT Union.
- 3) I, personally, was involved in the audit of System Parking, Inc., regarding the audit covering the period April 1, 2008, through October 31, 2010.
- 4) The initial payroll records, that we received to conduct the audit, were bi-weekly payroll registers. Based on the previous audit and our review of the current information, it was determined that the records provided were not sufficient for us to conduct an accurate audit, due to the fact the monthly contributions were remitted in a different manner.
- 5) We contacted the Employer and requested that they confirm how their monthly contributions were remitted.
- 6) After several months, it was confirmed that System Parking remits their monthly contributions based on the calendar days in a month, not based on payroll records.
- 7) Based on the Employer's remittance methodology, a new set of daily time records were provided to us for review. On a review of the new records, it was determined that these records were not at all inclusive, and did not reflect all hours paid.

8) After correspondence with the Employer's Legal Counsel, Stacy Campbell, it was noted that the vacation hours paid to the employees, were not included within the daily time records.

9) On May 5, 2013, I was personally informed by Stacy Campbell, Attorney for L&R, that "L&R had no additional documents to provide."

10) Based on the communication from Attorney Campbell, we had to use the combined records from several different documents, to create an additional set of records that reflect all hours paid. As a result of our having to perform this additional function of combining the records in order to appropriately audit the Company, we are still in the process of completing the audit for the period ending in 2010.

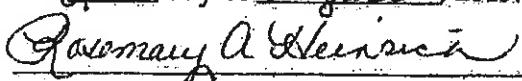
11) I have attached hereto a timeline, showing the communications received from System Parking/L&R Resources, Attorneys and the Company, which clearly demonstrates the reasons why the payroll for the time period for 4/1/2008 through 10/31/2010 were significantly delayed due to failure of L&R Resources to furnish the appropriate documents necessary for us to complete the audit for the indicated time period.

I have read the above Affidavit to which I have subscribed, and it is true to the best of my knowledge and belief.

  
THOMAS D. MARINO

Subscribed and Sworn to before me

this 18<sup>th</sup> day of August, 2013.

  
ROSEMARY A. HEINRICH  
NOTARY PUBLIC

